

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
General Communications, Inc. Request)	WT Docket No. 16-209
for Waiver of Certain Requirements in)	
the upper 6 GHz Bands)	
)	
)	

To: The Commission

Reply Comments of EIBASS

Engineers for the Integrity of Broadcast Auxiliary Services Spectrum (EIBASS) hereby respectfully submits its reply comments in the above-captioned public notice relating to a waiver request by General Communications, Inc. (GCI) for point-to-point microwave stations in the "upper 6 GHz bands" in Alaska.

**I. Almost All of Alaska Is in the Operational Area of
7 GHz TV Pickup Station WQRU451**

1. As noted in the initial EIBASS comments, GCI did not ask for waiver of Section 101.147(a)(34) of the Part 101 Fixed Service (FS) rules, which requires that a FS station operating in the 7 or 13 GHz TV Broadcast Auxiliary Service (BAS) bands not have its path intersect the operational area of a TV Pickup station in the same band. As shown by the attached Figure 1, TV Pickup Station WQRU451 has an operational area of "Continental United States," which of course includes Alaska. Only areas of Alaska within 56.3 km (35 miles) of the Canadian border are excluded. Thus, the portion of the requested waivers for the 6,875–7,125 MHz portion of the "upper 6 GHz bands" is almost a null set, because those waivers, even if granted, would result in paths overlapping the operational area of a TV Pickup station in the same band.

2. Even without the precluding presence of TV Pickup Station WQRU451, CGI's failure to recognize that Section 101.147(l)(1-4) does not include the frequencies of 6,975–7,025 MHz also causes the proposed waiver to not match the proposed operation; that is, frequencies falling in TV BAS Channel B5 (6,975–7,000 MHz) or TV BAS Channel B6 (7,000–7,025 MHz) are not included in Section 101.147(l). In other words, Part 101 FS stations are only allowed shared use

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of TV BAS Channels B1 through B4, and B7 through B10, and then only if outside the operational area of TV Pickup stations in the same band, and finally only if the paths can be successfully frequency coordinated with all existing fixed-link Part 74 and Part 101 stations. TV BAS Channels B5 and B6 were intentionally reserved for BAS use only, to ensure the availability of those channels for mobile TV Pickup stations use, even where a FS station has a path free of overlap with the operational area of record of a TV Pickup station in the same band. Thus, although CGI asked for waiver of Section 101.147(l), waiver of that rule, even if granted, would only allow FS use of 6,875–6,975 MHz, and 7,025–7,125 MHz, in portions of Alaska within 56.3 km of Canada, because only those areas would be outside the WQRU451 operational area. But any such FS paths would then require Canadian concurrence.

II. Reply to Comments of ARA

3. Alaska Rural Coalition (ARC) filed comments supporting the GCI waiver, but wanted the waiver to include them, and not just GCI. So already the rest of the camel, not just the camel's nose¹ is making its appearance under the BAS tent. Like GCI, ARA apparently also does not realize the existence of Section 101.147(a)(34), for which no waiver was requested. And like GCI, ARA also appears not to understand that FS stations were never granted shared use of the entire 7 GHz TV BAS band; that is, TV BAS Channels B5 and B6 were reserved for TV BAS use only. So waiver of Section 101.147(l), even if granted, still would not bestow rights to 6,975–7,025 MHz.

III. No Comments Filed by GCI

4. EIBASS cannot respond to the comments of GCI, because GCI did not file any comments in support of its own petition, even something as brief as "Thank you FCC for issuing a public notice regarding our waiver request, and GCI affirms that it is still interested in obtaining such waivers."

IV. Summary

5. The waiver requests filed by GCI are flawed because they failed to ask for waiver of the Part 101 rule requiring protection of the operational areas of TV Pickup stations in the same band, and because Section 101.147(l), even if waived, does not grant Part 101 FS stations access

¹ From Wikipedia: The camel's nose is a metaphor for a situation where permitting some small, seemingly innocuous act will open the door for larger, clearly undesirable actions. We make this point in the EIBASS reply comments that once the door is opened, the rest of the camel is indeed, requesting entry.

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to 6,975–7,025 MHz (TV BAS Channels B5 and B6). There was good reason for reserving these two 7 GHz TV BAS band channels for Part 74 electronic news gathering (ENG) use only, because even portions of rural Alaska would turn into high-use ENG areas in the event of a major news event. Thus, even if the requested Part 101 rule waivers were to be granted, GCI and similar entities would still be prohibited by the FCC Rules from using the 7 GHz TV BAS band for Part 101 fixed, point-to-point use, because of the area preclusion caused by TV Pickup Station WQRU451.

List of Figures

6. The following figure has been prepared as a part of these EIBASS WT Docket 16-209 reply comments:

1. Map showing approximate WQRU451 operational area for Alaska.

Respectfully submitted,

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**Approximate Operational Area of TV Pickup Station WQRU451
in Alaska**

<https://www.fcc.gov/engineering-technology/electromagnetic-compatibility-division/general/frequency-coordination-canada>



Approximate operational area of 7 GHz TV Pickup Station WQRU451 in Alaska. Operational area is portion of Alaska more than 35 miles from Canadian border, which is approximately depicted by the portion of Alaska West of Line C. Line C is approximately 120 km (75 miles) from Canadian border, whereas WQRU451 can operate within 56.3 km (35 miles) of the Canadian border.